

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:
Lawrence E. Williams III

Confirmation No. **4226**

Serial No.: **09/748,729**

Examiner: **James H. Zurita**

Filed: **December 26, 2000**

Art Unit: **3625**

For: **METHODS AND SYSTEMS FOR
PROVIDING LIFE
MANAGEMENT AND
ENHANCEMENT
APPLICATIONS AND SERVICES
FOR TELEMATICS AND OTHER
ELECTRONIC MEDIUM**

Atty. Docket No. **075000-0276046**
NET-001 CIP

DECLARATION UNDER 37 CFR 1.132

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Arlington, VA 22313-1450

Sir:

I, Lawrence E. Williams III, the applicant of the above-identified patent application, declare as follows:

1. I founded Roadside Telematics Corporation, owner of the above-identified patent application, in 1999. Prior to 1999, I had been active in the automobile industry for 17 years.

2. At the time I founded Roadside Telematics Corporation, there was a widespread recognition in the automobile industry of the need to provide critical data regarding a person's health and personal information to emergency services via a Public Safety Answering Point (PSAP) during an emergency such as an automobile collision.

3. One particular piece of information that had not been effectively communicated to emergency services is emergency contact information. This information is often critical, for example, because a person can be incapacitated during an emergency, and it is important for emergency services to contact a relative or friend of the victim as soon as possible in order to

provide optimal care for the victim. Moreover, the phone numbers for such persons can be unlisted, and so may be unavailable even if the victim's identity is known.

4. Shortly after founding Roadside Telematics Corporation in 1999, I developed a technology that could store a person's emergency contact information and quickly provide it to a PSAP during an emergency associated with the person's vehicle via a telematics device in the person's vehicle.

5. As demonstrated by the attached article from The Press Enterprise dated April 30, 2005 (Exhibit A), the problem of quickly obtaining emergency contact information of a victim has been long-felt in the art:

Contrary to popular belief, peace officers cannot quickly gain access to such information . . . especially in an "immediacy-type situation." Law enforcement could probably get the number by contacting a telephone carrier, but that would have been difficult in the middle of the night and might have required a warrant. . . .

6. As further demonstrated by the attached article, as of 2005, more than five years after my invention, no one else in the art had developed a solution to the problem of effectively providing emergency contact information to a PSAP during an emergency.

7. My invention satisfies the long-felt need in the art. In one example, emergency contact information is stored in a virtual garage comprising at least one server on the Internet. During an emergency, a telematics device embedded in a vehicle accesses the virtual garage and retrieves the emergency contact information. The emergency contact information is then transmitted from the telematics device to the PSAP.

8. A system for providing emergency contact information to a PSAP during an emergency according to the invention was employed in a Safety Pilot program for the Greater Harris County Emergency 9-1-1 Network in 2002 and 2003. The Greater Harris County network is Texas's largest network and is one of the largest 911 networks in the United States

9. The Safety Pilot program was awarded the 2004 Telematics in Action Award from Telematics Update magazine. Attached as Exhibit B is a true and correct copy of a Press Release regarding the Award.

10. The Award recognizes development and deployment of telematics for the enhancement of emergency response and driver safety.

11. The enhancement of emergency response and driver safety in the Safety Pilot program was made possible by the claimed invention's ability to rapidly and accurately deliver a driver's personal medical data, including emergency contact information, to emergency response personnel via a PSAP.

12. I have reviewed the references cited by the Examiner in previous Office Actions, and none of the cited references discuss transmitting emergency contact information for an automobile accident victim from a vehicle to a PSAP during an emergency.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Respectfully submitted,

Date: MARCH 29, 2006



Lawrence E. Williams III

Attachment:

Exhibits A&B

EXHIBIT A

Lawrence E. Williams, III
Serial No. 09/748,729
Exhibit to Declaration Under 37 C.F.R. § 1.132

Crash procedure changes planned

RIVERSIDE COUNTY: After deputies fail to find a teen's body, the sheriff vows to take "extra steps."

01:07 AM PDT on Saturday, April 30, 2005

By LISA O'NEILL HILL / The Press-Enterprise

Proposed Policy

Riverside County Sheriff Bob Doyle is considering a policy to require deputies to try to make contact with the owners of towed vehicles:

If sheriff's officials cannot make contact by phone

If it's reasonable to send a unit to a home

If the circumstances are suspicious

Riverside County Sheriff Bob Doyle apologized Friday for his deputies' failure to find the body of an Eastvale teenager killed in a car wreck and said he will ensure such a "horrible situation" will never happen again.

Deputies who found James Walsh's dented car on a dark, two-lane stretch of Hamner Avenue in Norco early Sunday had the car towed, assuming the driver had walked away. Thirteen hours later, the father of the 18-year-old UC Irvine student found his son's bruised and scraped body in a ditch, about 30 feet from where the car had crashed.

"Everybody is very distraught about this, and we feel really bad about not taking the extra steps to keep the parents from having to find their son," the sheriff said. "All of us that are parents, you never want something like that to happen. We're very sorry for our part in that. The deputies are very distraught about it."

Doyle said he plans to institute a policy that would require his deputies to make personal contact with registered owners of cars that have been towed if they can't get in touch with them by phone.

Unlisted Phone Number

Doyle said he is especially concerned about suspicious situations such as when no one is around a car that appears to have been in an accident. The sheriff said he also plans to make sure deputies do searches around the cars.

Now, sheriff's employees call the registered owners of the vehicles. But no one called James' parents after a tow truck hauled away the 2001 Oldsmobile Alero that James had been driving. The car was registered to his mother. She and her husband live in Eastvale, an unincorporated community north of Norco. Doyle said his people could not call because the Walshes' phone number is unlisted.

Contrary to popular belief, peace officers cannot quickly gain access to such information, Doyle said, especially in an "immediacy-type situation."

Law enforcement could probably get the number by contacting a telephone carrier, but that would have been difficult in the middle of the night and might have required a warrant, he said.

Two Riverside County sheriff's deputies and one community service officer responded to 911 calls reporting a car in a ditch on Hamner Avenue about 1:15 a.m. James' car, upright with its engine running and lights on, had dents on the roof consistent with a rollover, Doyle said.

The windshield was cracked and the driver's-side window was shattered, Doyle said. There was no blood, and nothing to indicate anyone had been injured. The sheriff said it is unclear whether the deputies searched the area or, based on what they saw, thought someone had walked away.

Deputies did not know that James had been ejected from the car. A preliminary investigation has revealed he was not wearing his seatbelt, Doyle said.

James' parents later realized their son wasn't home. They learned the car had been in an accident and rushed to the scene. They found their son's body in a ditch.

Rick Walsh has said his son's driver license was on his back. Doyle said deputies are unsure how that happened but said they had been told that someone had checked the teenager's pulse and may have pulled his identification out.

Father Finds Body

That afternoon, Rick Walsh called 911 and told a dispatcher he had found his son's body in plain view.

"Ma'am, please help me, my son. Please. Please send someone," he told a dispatcher.

James died from blunt force trauma to the head near the time of the accident, according to preliminary autopsy reports released this week. His funeral was held Friday.

The sheriff said his department is investigating the cause of the accident, as well as looking into the conduct and actions of his people. Doyle said the deputies were being interviewed Friday.

Investigators cannot do a complete reconstruction of the accident because the car had been moved, the sheriff said. But a deputy on the department's accident reconstruction team has been investigating how James' car ended up in the wash.

"We're trying to put together what occurred up until the time of the accident and why the accident occurred," Doyle said. "Certainly, we're investigating our part in that in terms of what we did and didn't do."

Toby Glockler, a forensic engineer who specializes in accident reconstruction and who founded Collision Reconstruction Engineers in Concord, Calif., said officers do not know when they arrive at a crash site whether it's a crime scene. The car involved could have been stolen, he said.

"The best thing to do under the circumstances is to try to contact the registered owner," Glockler said. "Do whatever you can to contact the registered owner."

No Witnesses

Sheriff's investigators have interviewed the young men James had been with the night of the accident and are looking for and talking to witnesses who might have driven by.

"We don't know when the accident happened because no one witnessed it," the sheriff said.

Even the tow-truck driver who hauled away Walsh's car has been torturing himself wondering if he could have done things differently, said Casey Horvath, vice president of Hamner Towing.

The father of two young children, the driver deeply sympathizes with the pain and horror Rick Walsh must have felt when he found his son, Horvath said.

"He keeps second-guessing himself about what he could have seen," Horvath said. "But we keep telling him he did everything possible that he could have done."

Doyle said his deputies will go the extra step from now on in trying to make contact with owners of vehicles.

"I know enough about this situation now," Doyle said. "I don't want this to happen to any other parents."

Staff Writers Paige Austin and Sonja Bjelland contributed to this report.

EXHIBIT B

Lawrence E. Williams, III

Serial No. 09/748,729

Exhibit to Declaration Under 37 C.F.R. § 1.132



Greater Harris County 9-1-1 Emergency Netw

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Greater Harris County 9-1-1 Emergency Network, Cross Country Automotive Services, Intrado Inc. and Partners Earn Prestigious Telematics Industry Award

Groundbreaking Enhanced Crash Notification Safety Pilot Reduces First Responder Response Time and Improves Medical Care at the Scene of an Accident

BOSTON, MA May 26, 2004 — Greater Harris County Emergency 9-1-1 Network, Cross Country Automotive Services (Cross Country), Intrado Inc, and Roadside Telematics Corporation announced today that together they have been awarded the coveted 2004 Telematics in Action: Best Use of Telematics for Safety Award from Telematics Update. Announced on Tuesday, May 25, the award recognizes a company or organization for the development and deployment of telematics for the enhancement of emergency response and driver safety.

The partners received the Telematics In Action Award for their revolutionary Enhanced Crash Notification Safety Pilot. The project delivers vehicle location, crash data and occupant's voice to the correct 9-1-1 dispatch center, plus the occupant's medical information to the responding EMS vehicle. This information helps to reduce first responder response time and can improve medical care at the scene of an accident.

The Safety Pilot program began in 2002 when the partners joined together to successfully develop and deploy an industry-first telematics solution that would enable the transfer of critical voice and data communications to 9-1-1 dispatch centers, mitigate limitations in the current 9-1-1 infrastructure, and enable 9-1-1 centers throughout the country to more effectively dispatch emergency services to motorists in need.

For the pilot program, 500 police and fire vehicles in Greater Harris County, Texas were equipped with a complex network of electronic sensors that measure and transmit timely vehicle performance and occupant placement information. Activated upon impact, the system immediately evaluates the location, orientation, and severity of the crash. Cross Country's technology collects this valuable information from the vehicle, including the number of passengers, direction of g-force changes, occupancy of each of the vehicles' seats, use of seat belts by each occupant to help determine emergency needs. Intrado delivers this information to the appropriate 9-1-1 center in a standard format that can be easily read by 9-1-1 operators. During 2003, the system was further enhanced to enable the delivery of personal medical data and information on vehicle occupants, facilitating the best possible preparation of emergency personnel to aid crash victims. Using its Road Medic® System, Roadside Telematics is instructed to deliver the crash occupant's available personal medical data to the responding EMS personnel via ambulance telemedicine systems. Since accident survival rates are directly linked to the speed and accuracy of the victim's medical care, the Enhanced Crash Notification Safety Pilot can significantly impact the outcome of a vehicle crash.

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"Greater Harris County 9-1-1 is pleased to be a part of this first-ever project to enhance emergency communications and ultimately improve emergency response," said John Melcher, executive director of the Network. "It has already been tested and proven that the technology in place has helped to route information during accidents to the appropriate call center and to dispatch medical help within minutes."

"We are excited that this telematics achievement has been recognized by Telematics Update," said William Tolhurst, Senior Director at Cross Country Automotive Services. "This partnership between best-in-breed industry experts has contributed to public safety by developing and deploying technology that can help save lives."

"Intrado is proud to be part of this landmark accomplishment," said George Heinrichs, Intrado president and CEO. "Delivering detailed and timely information about crash situations is a significant step toward improving the response that emergency personnel can provide."

About Telematics Update

Telematics Update publishes Telematics Update Magazine, a bi-monthly publication for the automotive industry worldwide, and organizes senior-level business conferences in the USA, Europe and Asia-Pacific. The Telematics Update website provides free industry business information and free weekly and monthly email newsletters for senior auto executives: www.telematicsupdate.com.

About Intrado

Intrado Inc (NASDAQ:TRDO), now in its 25th year, has been a pioneer in emergency communications since 1979. Intrado provides the core of the nation's 9-1-1 infrastructure and delivers innovative solutions to communications service providers and public safety organizations, including complex data management, network transactions, wireless data services and notification services.

The company's unparalleled industry knowledge and experience reduce the effort, cost and time associated with providing reliable information for 9-1-1, safety and commercial applications. Additional information on Intrado, its products and services, and past press releases can be found at the Company's Web site: www.intrado.com.

About Greater Harris County 9-1-1 Emergency Network

Greater Harris County 9-1-1 Emergency Network is the largest 9-1-1 system in Texas and the third largest in the country. The Network provides 9-1-1 service for all 47 cities within or partially within Harris and Fort Bend Counties, and the unincorporated areas of those Counties.

About Cross Country Automotive Services

Headquartered in Medford, Massachusetts, Cross Country Automotive Services (www.CrossCountry-Auto.com) is a leading provider of integrated vehicle and driver programs in North America. Over 1,500 Cross Country employees serve more than 100 corporate clients and their more than 40 million customers each year. Cross Country Automotive Service is a member of The Cross Country Group, one of the largest privately held provider of customer service programs in the United States.

May 18, 2004

FOR IMMEDIATE RELEASE
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